

### **REMARKS**

The present amendment is filed in response to the Office Action mailed on May 30, 2006. Claims 36, 42-44, 50-52 and 58-61 have each been amended as listed above. As a result of these amendments and the below remarks, the Applicant respectfully asserts that each of the claims are allowable over the prior art. Furthermore, the Applicant respectfully asserts that no new matter is added by the present amendments.

In the Office Action mailed on May 30, 2006, the Examiner rejected Claims 36, 39, 40, 42-44, 47-48, 50-53, 55-56, and 58-61 under 35 U.S.C. 102(b) as being anticipated by the Statement of Mr. Mark Johnson (the *Johnson* statement) filed on March 13, 2006 detailing the CheckFree bill pay service as it existed prior to July 25, 1990. The relevant portions of the *Johnson* statement cited as the basis for the rejection state that a data clerk could have reentered account data to correct errors and could "modify" the stored account information by storing an indication that the account could be debited electronically. (*See Johnson* statement, pages 2-3)

The Applicant's respectfully assert that the *Johnson* statement does not teach, suggest or motivate all of the limitations of the pending claims. Specifically, the *Johnson* statement does not teach, suggest or motivate at least "automatically updating the received routing number or received account number to reconcile the received routing number or received account number with the stored plurality of routing numbers and account numbers in the financial institutions file; and storing the updated routing number or updated account number in a consumer database."

Support for the amendments to the claims is contained in the specification of the '109 application, which states in one instance:

From the voided check, the consumer's bank routing transit and individual account numbers at an institution are input into the computer system. This information may be edited against an internal financial institutions file (FIF) database 24 of the present invention. FIF 24 is a database of financial institutions' identification codes and financial institution account information for the consumer. This file also edits the accuracy of the financial institution's routing transit number and the bank account number supplied by the consumer. If the numbers do not correspond with the correct routing and bank numbers, they are rejected and the data entry is corrected and repeated. FIF 24 in conjunction with the software of the present invention also updates the consumer database 22 for both electronic and paper draft routing and account information. The needed information may be

obtained from each banking institution and each consumer.

\*109 Application page 5, line 16 to page 6, line 5 (emphasis added). Further, the flow diagram shown in FIG. 1 suggests that the reconciliation is done between the consumer database and FIF file without need for manual data reentry. As shown in FIG. 1, if the consumer database numbers cannot be reconciled with the FIF file numbers, they are then rejected and manual intervention is then needed.

By the amendments to the pending claims, the pending claims now require the information contained in the FIF file to be used to automatically reconcile a received routing number (or account number) with those stored in the FIF file and then store the reconciled routing number (or account number) in a consumer database for future use. According to the prior art system described in the *Johnson* statement, if the received routing information and the stored routing information in the FIF file did not match, the error would persist until the data clerk manually made the correction. In other words, the prior art system was inconvenient and somewhat unreliable. The reliance on data clerks, who were susceptible to additional errors, to re-enter account information compounded the problem. These were significant drawbacks because customers wanting to take advantage of these payment services expected and required a payment system that was both efficient and reliable.

In contrast to the prior art system described in the *Johnson* statement, the present claims require that the routing number (or account number) is reconciled with the stored routing information of the FIF file and the consumer account is updated with the accurate routing number associated with the consumer's account. Further, while the Examiner notes that the *Johnson* statement states that "a consumer database entry for the consumer bill payment account could be modified to indicate whether the account was electronically accessible," such modification to the consumer database entry adds information describing the account (i.e., that the account was electronically accessible), rather than reconciling the accuracy of the electronic data. Moreover, the present claims are directed to maintaining the accuracy between the consumer database entries and the data maintained in the financial institutions file, which is a process separate and distinct from the subsequent steps of validating the electronic accessibility of the account.

Finally, the reconciliation process utilizing the financial institutions file and consumer database described in the pending claims is not merely the automation of a previously manual process. Rather, the reconciliation process described in the pending claims provides functionality and beneficial results that are more than simply providing a faster and more efficient version of a previously manual process. In addition to the above stated benefits and distinctions from the prior art, the reconciliation process maintains the accuracy between the consumer database entries and the data maintained in the financial institutions file, as well as utilizes the financial institutions file described in the amended claim language to significantly reduce the number of unnecessary rejection messages generated by the system. Moreover, this form of reconciliation also avoids unnecessary follow up inquiries with the customers asking them to resubmit their private account information, which add to the expense of operating the service provider and serve as an annoyance and/or embarrassment to the service provider and/or customer.

**CONCLUSION**

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "William T. Cook", with a stylized flourish at the end.

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